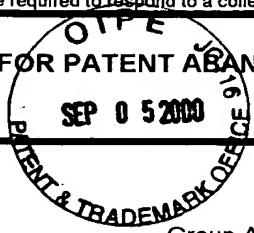


D.A.C.C. (CPA) #29  
 PTO/SB/64 (7-99)  
 App. for use through 09/30/2000. OMB 0651-0031  
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
 17616-705



First named inventor: Hugh R. Sharkey  
 Application No.: 08/714,987 Group Art Unit: 3739  
 Filed: September 17, 1996 Examiner: D. Shay  
 Title: Method and Apparatus For Controlled Contraction of Soft Tissue

Commissioner for Patents  
 Box DAC  
 Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and
- (4) Statement that the entire delay was unintentional/

1. Petition fee

- ☒ Small entity – fee \$ 605 (37 CFR 1.17(m)) *to be charged to 23-2415 per authorization in CPA request.*  
☐ Small entity statement enclosed herewith.  
☒ Small entity statement previously filed.  
☐ Other than small entity – fee \$ \_\_\_\_ (37 CFR 1.17(m))

*JP 8/28/00*

2. Reply and/or fee

- A. The reply and/or fee to the above noted Office action in the form of  
A request for CPA and an amendment (identify type of reply):  
☐ has been filed previously on  
☒ is enclosed herewith.

- B. The issue fee of \$ \_\_\_\_  
☐ has been paid previously on  
☐ is enclosed herewith.

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OFFICE OF PETITIONS

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_ for a small entity or \$ \_\_\_\_ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Aug 28, '00  
 Date  
 Wilson Sonsini Goodrich & Rosati  
 650 Page Mill Road  
 Palo Alto, CA 94304  
 (650) 493-9300  
 Customer No. 21971

*John J. Bruckner*  
 John J. Bruckner, Reg. No. 35,816

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]**

I hereby certify that this correspondence is being:

- ☒ deposited with the US Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:  
 Commissioner for Patents, Box DAC, Washington, D.C. 20231  
☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

8/28/2000  
 Date

*John J. Bruckner*  
 John J. Bruckner, Reg. No. 35,816